

Attorney Docket No.: SolAqua - PAUS0001

Patent Application 09/845,359  
Supplemental AmendmentREMARKS

Applicants thank the Examiner for the personal interview on November 5, 2003 and her assistance in identifying what claims the Examiner considered as containing patentable subject matter. Applicants note the Examiner's opinion that some of the claims pending prior to this amendment are in her opinion not patentable. Although Applicants do not agree with the Examiner's opinion, to facilitate a quick allowance of the present application, Applicants have amended the claims without prejudice or disclaimer by deleting or amending the claims so that they now should comply with the Examiner's opinion as to what constitutes patentable subject matter. Applicants will pursue the previously pending claims (not allowed in this application) in one or more continuing applications and further argue their patentability in those applications.

More specifically, Applicants have canceled claims 1-3, 9, and 10 without prejudice or disclaimer. Limitations of previously pending claims 1, 2, and 7 have been added to each of claims 4, 5, and 6, which are now written in independent form. Further, claims 4, 5, and 6 have been amended so that the limitations of the preamble are directly incorporated into the claims. The limitations of previously pending claim 3 have been duplicated in new claims 28-30, which depend on claims 4, 5, and 6, respectively. Limitations of previously pending claims 9 and 10 have been added to claim 8. Therefore, Applicants believe that independent claims 4, 5, 6, and 8 are patentable as agreed upon by the Examiner during the Examiner interview.

Applicants have amended claim 23 to include a transparent member and per the Examiner Interview submit it for the Examiner's further consideration. Applicants believe this additional element and limitation clearly distinguishes over the references,

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particularly the Domen references, for at least the reason that Domen does not teach or suggest each of the elements and limitations in the combination as required by amended claim 23. This is particularly true for the combination of one or more layers of insulating material, the membrane and the transparent membrane, as fully defined by amended claim 23.

Based on the aforementioned, Applicants believe that all the now pending independent claims are patentable.

The additional dependent claims have been amended to rely upon independent claims 4, 5, 6, 8 and 23 and to contain further limitations acceptable to the Examiner. The dependent claims are patentable for at least the reason of their dependence on the independent claims.

Further, new claims 31 and 32 have been added to more completely claim the invention of the subject application. These claims are directed to adjustable legs and are dependent indirectly on independent claims 5 and 6, respectively. Applicant respectfully submit that claims 31 and 32 are patentable for at least the reasons that claims 5 and 6 are patentable.


Applicants respectfully submit that claims 4-8, 11-21 and 23-32, all the claims now pending in the present application, are patentable over all of the cited and applied references. Therefore, Applicants respectfully request that claims 4-8, 11-21 and 23-32 be allowed and the present application be passed to issue at the earliest possible time.

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If for any reason the Examiner believes that the present application is not now in condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below or on my mobile telephone at 703-731-7220.

Respectfully submitted,

  
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Date: November 13, 2003